

SB 223

SENATE JUDICIARY

Montana Democratic Women's Legislative Caucus

EXHIBIT NO. 8

DATE 1/22/09

BILL NO. SB 223

61st Legislative Session

Mr. Chairman, members of the committee. On behalf of the Montana Democratic Women's Legislative Caucus, I urge your support of Senate Bill 223 to include sexual orientation, gender, and disability in the Hate Crimes Statute: Current law acknowledges and provides for penalties for hate crimes directed against persons based on race, creed, religion, color, national origin, or involvement in civil rights or human rights activities. Gays and lesbians, women, and people with disabilities are often targeted for hate crimes and deserve protection under this law.

As you know, hate crimes are crimes against individuals because of their real or perceived membership in a group. Hate crimes are those acts of violence designed to threaten a segment of the population, to cause them to live in fear, to feel less than equally human and to retreat from full participation in civic life. These crimes are designed to send a message and that message is you are not welcome here and you are not safe.

You have an opportunity as lawmakers to say that this is not the message that Montana wants to send to its citizens.

The Democratic Women's Caucus supports this bill because of its restorative justice component which focuses on healing the harm done by the crime, it holds offenders accountable but offers a promise of a better outcome for the victim and the offender.

The only way we'll be able to stop hate crimes is to put an end to hate. Restorative justice programs provide the community the opportunity to work toward that end.

Please vote in favor of Senate Bill 223.

Thank you,

U.S. Department of Justice

Federal Bureau of Investigation

Criminal Justice Information Services Division

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Table 1

Incidents, Offenses, Victims, and Known Offenders

by Bias Motivation, 2007

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Bias motivation	Incidents	Offenses	Victims ¹	Known offenders ²
Total	7,624	9,006	9,535	6,965
Single-Bias Incidents	7,621	8,999	9,527	6,962
Race:	3,870	4,724	4,956	3,707
Anti-White	749	871	908	828
Anti-Black	2,658	3,275	3,434	2,509
Anti-American Indian/Alaskan Native	61	75	76	63
Anti-Asian/Pacific Islander	188	219	234	165
Anti-Multiple Races, Group	214	284	304	142
Religion:	1,400	1,477	1,628	576
Anti-Jewish	969	1,010	1,127	320
Anti-Catholic	61	65	70	31
Anti-Protestant	57	59	67	22
Anti-Islamic	115	133	142	104
Anti-Other Religion	130	140	148	62
Anti-Multiple Religions, Group	62	64	66	32
Anti-Atheism/Agnosticism/etc.	6	6	8	5
Sexual Orientation:	1,265	1,460	1,512	1,454
Anti-Male Homosexual	772	864	890	923

Anti-Female Homosexual	145	184	197	147
Anti-Homosexual	304	362	375	349
Anti-Heterosexual	22	27	27	19
Anti-Bisexual	22	23	23	16
Ethnicity/National Origin:	1,007	1,256	1,347	1,155
Anti-Hispanic	595	775	830	758
Anti-Other Ethnicity/National Origin	412	481	517	397
Disability:	79	82	84	70
Anti-Physical	20	20	20	27
Anti-Mental	59	62	64	43
Multiple-Bias Incidents³	3	7	8	3

¹The term *victim* may refer to a person, business, institution, or society as a whole.

²The term *known offender* does not imply that the identity of the suspect is known, but only that an attribute of the suspect has been identified, which distinguishes him/her from an unknown offender.

³In a *multiple-bias incident*, two conditions must be met: (a) more than one offense type must occur in the incident and (b) at least two offense types must be motivated by different biases.

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